



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10  
1200 Sixth Avenue, Suite 900  
Seattle, Washington 98101-3140

October 23, 2007

Reply to  
Attn. of: ETPA-088

Ref: 04-011-BLM

Ms. Jeanie Cole, Team Leader  
Bureau of Land Management  
Fairbanks District Office  
1150 University Avenue  
Fairbanks, Alaska 99709

Dear Ms. Cole:

The U.S. Environmental Protection Agency (EPA) has reviewed the **Kobuk-Seward Peninsula Proposed Resource Management Plan (RMP) and Final Environmental Impact Statement (FEIS)** (CEQ No. 20070398) according to our responsibilities and authorities under Section 309 of the Clean Air Act (CAA) and the National Environmental Policy Act (NEPA). The FEIS considered four alternatives, which provide a wide-range of levels of commodity production and resource protection and restoration for the future management of approximately 12 million acres in northwest Alaska. The Bureau of Land Management's (BLM) Preferred Alternative (Alternative D) closely resembles the preferred alternative identified in the draft EIS and emphasizes a moderate level of protection, use, and enhancement of resources and services.

EPA's comments on the draft EIS expressed concerns about adverse impacts of resource exploration and development to important calving and insect relief habitat for the Western Arctic Caribou Herd's (WACH) Area of Critical Environmental Concern (ACEC), lack of analysis of potential climate change effects on the region; and lack of specific requirements for the abandonment, removal, and reclamation of activities relating to resource exploration, development, and operation after leases have expired and operations have ceased.

EPA recommended that the final RMP/EIS and Record Of Decision (ROD) identify specific management objectives, goals, and measures to ensure that resource uses in the ACEC would be compatible with protection of the WACH during periods of calving and insect relief and that management of this ACEC should be consistent with both the WACH Strategic Management Plan and recommendations from the WACH Advisory Group. We also recommended that other protective management measures be considered, such as: (1) deferral of leasing in ACECs from oil and gas, coal bed methane development, hard rock mining, and coal mining until further studies and research are conducted to ensure that development can occur with minimal impact to the WACH, and (2) establishment of setback and buffer areas for "no surface occupancy" to avoid and minimize impacts to caribou calving.

The FEIS has adequately addressed these concerns by including the requirement for the development of habitat management plans and mining operations plans before fluid mineral leasing or mining activities occur. Additionally, coal leasing has been deferred and the RMP would need to be amended prior to issuing coal leases.

EPA's comments on the draft EIS stated that climate change should be considered a reasonably foreseeable future impact that should be evaluated through the NEPA process, and that the final RMP and FEIS should consider how the proposed actions, alternatives, goals and objectives may influence the emissions and sinks of greenhouse gases, thereby contributing to, and/or reducing impacts to climate change. We suggested that specific management strategies be developed to minimize potential adverse effects of greenhouse gases and regional climate change, and that the final analysis include information that considers how climate change could potentially influence the proposed actions in the Kobuk-Seward Peninsula Planning Area. We recommended that the potential cumulative effects associated with summer and/or year round international transport of oil and gas, hard rock mineral, and coal resources to world markets, made possible by the retreat of the polar ice cap, be evaluated.

While the FEIS includes additional discussion on climate change, it states that since the projected life of the final RMP is only 15-20 years, changes due to climate change are not reasonably foreseeable during the life of the plan. The FEIS also concludes that it is highly unlikely that actions under the RMP will contribute significantly to global climate change, and that the RMP does not provide enough management flexibility to mitigate those impacts that can be affected by BLM actions.

EPA continues to have concerns regarding the impacts of climate change on the activities and management strategies as proposed in the RMP, as well as the potential for oil, gas and mining activities authorized under the RMP to contribute to climate change. Effects of climate change are presently evident in arctic/sub-arctic Alaska and are expected to continue during the next 15-20 years. There is research that indicates that localized sources may contribute to local effects. Various federal and state agencies are preparing for commercial fishing in the Chukchi Sea, and for new shipping and transport through the Bering Strait to the newly opened Northwest Passage, so there is acknowledgement that these climate-induced changes are foreseeable. These activities are likely to have direct and indirect effects on the Planning Area. We recommend additional analysis and discussion of this issue in the final RMP and ROD.

Lastly, EPA recommended that the RMP provide additional requirements for the abandonment, removal and reclamation of resource exploration and development activities after operations have ceased and leases have expired. The FEIS states that reclamation decisions are addressed under Oil and Gas leasing stipulation #4, as well as in 43 CFR 3809. In addition, subsequent to the adoption of the RMP, implementation level plans are developed at the time when the surface disturbing activity is proposed. The FEIS states that these plans must discuss interim and final reclamation. EPA believes that general performance criteria are important in setting a framework for effective closure and reclamation in the project level plans. We recommend that the ROD include performance criteria for rehabilitation of impacted areas,

requirements for post-operations monitoring, and corrective action measures to ensure that closure and reclamation is adequate.

EPA also recommends that the ROD disclose how BLM responded to concerns and issues raised by interested tribal governments, and how this interaction fulfilled the requirements of Executive Order (EO) 13175. The EO requires all federal agencies to strengthen the United States government-to-government relationship with federally-recognized tribal governments. The FEIS states that letters were sent to tribal governments notifying them of the planning process and requesting government-to-government consultation, and five tribal governments' submitted comments, but it is not clear if the tribal governments initiated consultation, what issues and concerns were discussed, and how those discussions influenced the proposed RMP and FEIS.

EPA appreciates the opportunity to provide comments on the Kobuk-Seward Proposed RMP/FEIS. If you have questions or concerns regarding these comments, please contact Jennifer Curtis of my staff at (907) 271-6324 or via email at [curtis.jennifer@epa.gov](mailto:curtis.jennifer@epa.gov).

Sincerely,

/s/

Christine Reichgott, Manager  
NEPA Review Unit